

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-81549-CIV-CANNON/Reinhart

LORI WEISE,
and other similarly situated individuals,

Plaintiff,

v.

BLUE LINE LAW FIRM PLLC
and **KEVIN J. DRUMMOND,**

Defendants.

_____ /

**ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE
AND DENYING DEFENDANTS' MOTION FOR SANCTIONS**

THIS CAUSE comes before the Court upon a sua sponte review of the record. On August 9, 2024, Plaintiff's former attorney, Zandro E. Palma, moved to withdraw as counsel, citing a breakdown of the attorney-client relationship [ECF No. 64]. Mr. Palma further advised that Plaintiff had refused to attend the August 7, 2024, mediation hearing despite the Court's Orders [ECF No. 65; ECF Nos. 60, 63]. Magistrate Judge Reinhart, pursuant to a referral order, granted Mr. Palma's motion to withdraw as counsel and directed Plaintiff to either retain counsel eligible to practice law in this Court or to file a notice indicating Plaintiff's intent to proceed pro se by September 27, 2024 [ECF No. 73]. On September 13, 2024, Magistrate Judge Reinhart held an hearing to check the status of Plaintiff's efforts to retain new counsel; Plaintiff failed to appear at the hearing without explanation [ECF No. 76]. To date, Plaintiff has not complied with the Court's

CASE NO. 22-81549-CIV-CANNON/Reinhart

instruction to either retain new counsel or indicate her intent to proceed pro se. Nor has she displayed an intent to meaningfully prosecute this action [ECF No. 65; ECF No. 73].¹

A district court may dismiss a case, on its own initiative, if a plaintiff abandons its prosecution of the suit. Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962). Courts are vested with this inherent power “to manage their own affairs so as to achieve the orderly and expeditious disposition of cases” and “to clear their calendars of cases that have remained dormant because of the inaction or dilatoriness of the parties seeking relief.” *Link*, 370 U.S. at 630–31.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. This matter is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute.
2. Defendants’ Motion for Rule 11 Sanctions against Plaintiff [ECF No. 77] is **DENIED**.
3. Defendants’ Motion for Summary Judgment [ECF No. 67] is **DENIED AS MOOT**.
4. The Clerk of the Court shall **CLOSE** this case. All pending deadlines are **TERMINATED**.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 2nd day of October 2024.

A handwritten signature in black ink, appearing to read 'Aileen Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record

¹ Defendants filed their Motion for Summary Judgment on August 13, 2024 [ECF No. 67]. Plaintiff has not responded to that Motion or requested additional time to do so.